

REMARKS/ARGUMENTS

Claims 1-19 are pending. Claims 1, 3, 4, 7, 9, and 11 have been amended. No new matter has been introduced. Applicants believe the claims comply with 35 U.S.C. § 112.

Claims 1-15

Claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Richton (US 6,650,902). It appears claims 2-15 are rejected on the same ground.

Applicants respectfully submit that independent claim 1 as amended is novel and patentable over Richton because, for instance, Richton does not teach or suggest a travel server that transmits the travel data from the travel server to the portable terminal, depending upon both of location information of the portable terminal and time information programmed in advance.

Richton discloses a wireless telecommunication system including the location-based server 221, being capable of (1) providing wireless telecommunication server to wireless mobile unit; (2) monitoring the movement of wireless mobile unit 201; and (3) providing location-based information back to the wireless mobile unit 201 (in portion starting from column 2, line 59 to column 3, line 8). Thus, information is adopted to be transmitted based upon the time, as a result of satisfying the geographical relationship. In this regard, Richton states at column 5, lines 32-35 (emphasis added): "The IPA [Intelligent Personal Agent] 330 is programmable to tailor information sent to a user, based upon a user's semi-permanent preferences and information specific to circumstances of place and time."

In the present application, transmission of the travel data is described at page 14, line 21 to page 15, line 5. For instance, the "travel server 107 sends to the user on traveling, periodically, for example, at 10:00, 12:00, 15:00 and 17:00 in every day" (page 14, lines 24-26). Richton is devoid of any teaching or suggestion for a travel server that transmits the travel data from the travel server to the portable terminal, depending upon both of location information of the portable terminal and time information programmed in advance.

Richton clearly fails to disclose that the travel data is transmitted depending upon, not only the geographical or location condition, but also the time condition (i.e., transmitting travel data depending upon both location information of the portable terminal

and time information programmed in advance, as recited in claim 1). In Richton, the word "when" is found, for instance, in "threshold positions/geographical relationships dictating when information is to be obtained" (col. 8, lines 1-2), and in "the steps involved in establishing parameters defining where, when to whom" (col. 8, lines 7-9). It indicates instead the geographical or location condition, as is apparent from the description as a whole, i.e., "when the wireless mobile unit 201 is within 5 miles of the designated target location (e.g., the airport)" (col. 8, lines 62-64). Therefore, Richton does not disclose the time condition for the travel data to be transmitted.

For at least the foregoing reasons, independent claim 1, and claims 2-7 depending therefrom, are novel and patentable over Richton.

Applicants respectfully assert that independent claim 8 is novel and patentable over Richton because, for instance, Richton does not disclose or suggest a portable terminal that memorizes a telephone number of the travel server, and transmits the telephone number of itself to the travel server, together with location identification information for use in discriminating of a location registration area when conducting location registration. This claimed feature is clearly missing in Richton.

Applicants respectfully contend that independent claim 9 is novel and patentable over Richton because, for instance, Richton fails to teach or suggest a travel server that transmits a telephone number of itself, periodically, by using the telephone number of the portable terminal memorized in advance in the travel server, so as to require location information of the portable terminal. The location-based server 221 of Richton does not have the distinctive feature of the claimed invention.

Applicants respectfully assert that independent claim 10 is novel and patentable over Richton because, for instance, Richton does not teach or suggest a portable terminal that transmits the location information calculated out by the location detector portion thereof, together with a telephone number of the portable terminal itself, to the travel server. This claimed feature is clearly missing in Richton.

Applicants respectfully submit that independent claim 11 is novel and patentable over Richton because, for instance, Richton does not disclose or suggest transmitting a telephone number of the portable terminal itself together with a location information calculated out in a location detector portion for receiving radio wave from a

positioning system, which is owned by the portable terminal, from the portable terminal. This claimed feature is clearly missing in Richton.

Applicants respectfully contend that independent claim 12 is novel and patentable over Richton because, for instance, Richton fails to teach or suggest means for transmitting location identification information to be used in discriminating of a location registration area when the portable terminal conducts a location registration, together with a telephone number of the portable terminal itself, to the travel server. This claimed feature is clearly missing in Richton.

Applicants respectfully submit that independent claim 13 is novel and patentable over Richton because, for instance, Richton does not disclose or suggest means for transmitting location information calculated out by the location detector portion, together with a telephone number of the portable terminal itself, to the travel server. This claimed feature is clearly missing in Richton.

Applicants respectfully assert that independent claim 14 is novel and patentable over Richton because, for instance, Richton fails to disclose or suggest means for transmitting a telephone number of itself, periodically, with using a telephone number of the portable terminal memorized in the travel server in advance; and means for transmitting the travel data to the portable terminal, depending upon the location information transmitted from the portable terminal. The location-based server 221 of Richton does not have the distinctive feature of the claimed invention.

Applicants respectfully contend that independent claim 15 is novel and patentable over Richton because, for instance, Richton does not teach or suggest means for receiving location information transmitted from the portable terminal having a location detector portion for receiving radio wave from a positioning system, together with a telephone number of the portable terminal. This claimed feature is clearly missing in Richton.

Claims 16, 17, and 19

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Richton in view of Anderson (US 6,499,016). It appears claims 17 and 19 are rejected on the same ground. The Examiner recognizes that Richton does not disclose that information of either one of picture and audio being recorded during travel is transmitted from the portable

terminal to the travel server, together with either one or both of location information and time information recorded, and the travel server compiles the information transmitted from the portable terminal, thereby to transmit it to the in-house server as an album after the travel. The Examiner cites Anderson for allegedly disclosing the feature missing in Richton.

Applicants respectfully submit that independent claim 16 is patentable over Richton and Anderson because, for instance, they do not teach or suggest information of either one of picture and audio, being recorded during travel, is transmitted from the portable terminal to the travel server, together with either one or both of location information and time information recorded.

Anderson discloses at column 3, lines 10-22: "The images are also indexed in the database 24 by translated text annotations so that the images may be found more easily. An album 26, either web-based or printed, may automatically be generated from selected images in the database 24, where both the images 102 and the image's text annotations 28 are displayed." This only discloses that the images picked up through a camera 12 and the annotations corresponding thereto are automatically stored into the database 24 of the web site 15, thereby to produce an album 26. Nothing in Anderson discloses or suggests that information is transmitted from the portable terminal to the travel server, together with either one or both of location information and the time information recorded.

For at least the foregoing reasons, independent claim 16 and claim 17 depending therefrom are patentable over Richton and Anderson.

Applicants respectfully submit that independent claim 19 is patentable over Richton and Anderson because, for instance, they fail to teach or suggest information of either one of picture and audio, being taken during travel, is transmitted from said portable terminal to said travel server, together with either one or both of location information and time information recorded.

As discussed above, nothing in Anderson discloses or suggests that information is transmitted from the portable terminal to the travel server, together with either one or both of location information and the time information recorded. Thus, claim 19 is patentable over Richton and Anderson.

Claim 18

Claim 18 depends from claim 16, and stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Richton in view of Anderson, and further in view of Kim (US 6,681,120). The Examiner cites Kim for allegedly disclosing a portable terminal comprising a holding mechanism for holding an IC card therein, and an input/output means for reading and/or writing from and/or into said IC card, wherein the information of either one of picture and audio, being recorded into said IC card during the travel, is transmitted from said portable terminal to said travel server, together with either one or both of location information and time information recorded.

Applicants note that Kim does not cure the deficiencies of Richton and Anderson, in that it also fails to teach or suggest that information is transmitted from the portable terminal to the travel server, together with either one or both of location information and the time information recorded. Accordingly, claim 18 is patentable over Richton, Anderson, and Kim.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Chun-Pok Leung
Reg. No. 41,405

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
RL:rl
60421049 v1